

EXHIBIT

“5”

EXHIBIT B

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF

-----X
JOSE BRICENO,

Plaintiffs,

-against-

LCS RESTORATION CORP., et al.,
Defendants.
-----X

Index No.:

AFFIDAVIT

STATE OF NEW YORK)
) SS.:
COUNTY OF QUEENS)

JOSE BRICENO, being duly sworn, deposes and says:

1. I am the Plaintiff in the above captioned matter, and I attest to the same upon the penalty of perjury:
2. On July 17, 2022 I retained the LAW OFFICE OF ELI SHMULIK, P.C., to represent me for bodily injuries I sustained on September 21, 2021.
3. On July 22, 2022 I was asked to come to the law offices of SUBIN & ASSOCIATES, LLP, at 150 Broadway, New York, NY 10038 to pick up the litigation funding that I had previously requested.
4. I arrived at around 2 p.m., when I arrived, I was asked to confirm that I did in fact retain the LAW OFFICE OF ELI SHMULIK, P.C., to represent me for the September 21, 2021 matter, and I did in fact confirm.
5. I do not recall who I spoke with, but he was a Hispanic male in his 30's.
6. This individual informed me that I would be unable to pickup my litigation funding unless and until I signed paperwork which I understand now as having the effect discharging the LAW OFFICE OF ELI SHMULIK, P.C., as my attorney for the September 21, 2021 matter.
7. He then presented me with paperwork written entirely in English and instructed me to sign so that I could continue to receive my litigation funding.
8. I had no intention of discharging the LAW OFFICE OF ELI SHMULIK PC as my attorneys on this matter.
9. I only placed my signature on those papers so that my litigation funding could be released to me.

10. Had I known that the papers I was signing were to discharge THE LAW OFFICE OF ELI SHMULIK, and to retain SUBIN & ASSOCIATES, LLP, I never would of done so.
11. I believe I was deceived by the individual described above and effectively coerced into mistakenly discharging THE LAW OFFICE OF ELI SHMULIK PC so that I could continue to receive my litigation funding.
12. Prior to affixing my signature below, I was presented with a carbon copy of this document in my native language of Spanish whereupon I reviewed the contents and information contained.

Dated: Long Island City, NY
August 1, 2022

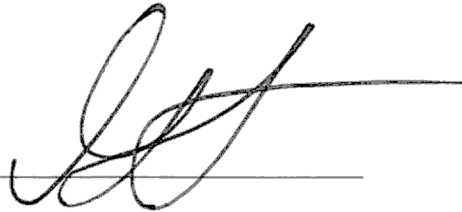


JOSE BRICENO

STATE OF NEW YORK)
) SS.:
COUNTY OF QUEENS)

On the 1 day of August 2022, before me personally came **JOSE BRICENO**, to me known and known to me to be the same person described in and who executed the foregoing consent and acknowledged to me that HE executed the same.





Notary Public